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Attorney Docket No. 04269/LH

NOV 0 7 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Keiichi AKAGAWA et al

10/500,086 Serial No. :

Filed June 24, 2004

LIGHT BEAM SWITCHING/ADJUSTING For

APPARATUS AND MANUFACTURING

METHOD THEREOF

2883 Art Unit

Kaveh C. Kianni Examiner

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97(d) WITH STATEMENT UNDER 37 CFR 1.97(e) (1) AND FEE (§1.17(p))

Mail Stop Issue Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 CERTIFICATE OF FACSIMILE TRANSMISSION TO NO. 1-571-273-8300

TOTAL PAGES:26 I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date noted below.

Dated: November 7, 2005

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by credit card payment, authorization to charge the extension fee, or any other fee required in connection with this

SIR:

Submitted herewith are the following:

- Copy of a Supplementary European Search Report dated (1)September 29, 2005, issued in a counterpart European application;
- Copies of cited publications, which were not previously (2) submitted (except U.S. patents);
- Form PTO/SB/08A; and (3)
- A form 2038 is enclosed to cover the USPTO fee of (4) \$180.00 as set forth under 37 CFR 1.17(p) for filing an IDS at this stage of prosecution (after allowance and

before payment of the Issue Fee).

Authorization is given to charge any additional fees which may be required, or to credit any overpayment, to Account No.

06-1378.

PAGE 1/26*RCVD AT 11/7/2005 12:46:38 PM [Eastern Standard Time]*SVR:USPTO-EFXRF-6/29*DNIS:2738300*CSID:+1212 319 5101*DURATION (mm-ss):11-3471

NOV 0 7 2005

PTO/SB/08A (08-00) Please type a plus sign (+) inside this box → Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE 10/500,086 Application Number Substitute for Form 1449A/PTO June 24, 2004 Filing Date INFORMATION DISCLOSURE K. AKAGAWA et al. First Named Inventor STATEMENT BY APPLICANT 2883 Group Art Unit Kaveh C. Kianni Examiner Name 04269/LH 1 1 Attorney Docket Number of Sheet U.S. PATENT DOCUMENTS Publication Relevant Kind Name of Patentee or Cite No¹ Exam. Document Number Code² Applicant Date MM-DD-YYYY Portion Inits* 12-24-1996 Α MASAYUKI et al 5,587,341 5,841,917 Α JUNGERMAN et al 11-24-1998 11-20-2001 ENG et al **B**1 6,320,126 07-16-2002 6,420,782 В1 ENG et al FOREIGN PATENT DOCUMENTS Relevant Publication Kind Name of Patentee or T⁶ Portion Document Number4 Applicant Date MM-DD-YYYY Offc3 Code Inits 05-25-1993 NIPPON TELEGR & ŢΡ. 05-130038 A ** TELEPH CORP (NTT) OLYMPUS OPTICAL 10-31-2001 Α JΡ 2001-305472 *English Language Abstract Attached **English Language Abstract Only Attached Date Examiner Considered Signature

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line t citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

DATE MAILED: November 7, 2005

¹ Unique citation designation number. 'See kinds of U.S. Patent Documents.' Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 'For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.' Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 'Place a check here if English translation is attached.

USP 6,420,782 listed on the attached PTO/SB/08A is a counterpart of USP 6,320,126 cited in the attached European Search Report. See the Annex to the Supplementary European Search Report.

The Supplementary European Search Report is in English, thereby satisfying the requirements for a concise explanation of relevance for any non-English language publications cited therein (MPEP 609 III A(3)).

STATEMENT UNDER 37 CFR 1.97(e) (1)

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the present Information Disclosure Statement. Said Communication bears a mailing date of September 29, 2005.

The filing of this Information Disclosure Statement is timely under the provisions of 37 CFR 1.97(d).

It is requested that an initialed copy of the Form PTO/SB/08A be returned to indicate that the publications listed therein have been considered and made of record.

Respectfully submitted,

Leonard Holtz, Reg. No. 22,97

Dated: November 7, 2005

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